IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 19TH JANUARY 2007 / 29TH PAUSHA 1928

Bail Appl..No. 409 of 2007()

SC.348/2005 of ASSISTANT SESSIONS COURT, TIRUR
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: PETITIONER/ACCUSED:

VADEKKATTE VALAPPIL MOHAMED BASHEER,
S/O.MUHAMMED, CHALISSERI AMSOM.

BY ADV. SRI.VIJU ABRAHAM
SRI.JOY C. PAUL
SRI.BENOY K.KADAVAN

RESPONDENT:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.409 of 2007

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Dated this the 19th day of January, 2007.

ORDER

Petitioner, who is the first accused in Sessions Case No.348 of 2005 pending before the Assistant Sessions Court, Tirur for offences punishable under Section 489B and C read with Section 34 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner before the said Court, the bail granted to him was cancelled and non-bailable warrants of arrest have been issued against the petitioner. Anticipatory bail cannot be granted in a case of this nature so as to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the trial court and seek regular bail. Accordingly, if the petitioner surrenders before the trial court and files an application for regular bail within 10 days from today, the same shall be considered and disposed of on merits despite the non-bailable warrant, if any, pending against the petitioner.

With this direction, this application is disposed of.

V.Ramkumar,

Judge.

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